AGENDA

PLANNING BOARD REGULAR MEETING



Thursday, April 10, 2025 AT 9:30 AM

TOWN OF HIGHLAND BEACH, FLORIDA

3614 S. OCEAN BOULEVARD HIGHLAND BEACH, FL 33487 Telephone: (561) 278-4548

Website: www.highlandbeach.us

Town Hall Commission Chambers

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF THE AGENDA
- 5. SWEARING IN OF THE PUBLIC
- 6. APPROVAL OF MINUTES
 - A. March 13, 2025
- 7. UNFINISHED BUSINESS

A. None

8. **NEW BUSINESS**

A. Development Order Application No. PZ-25-19 / AJR Grand Highland Beach LLC / David Nutter

Application by B&M Marine Construction, Inc. requesting a special exception to install a 120 square foot finger pier and one (1) mooring pile for the property located at 1006 Grand Court.

9. ANNOUNCEMENTS

April 15, 2025 1:30 PM Town Commission Meeting

Mat 08, 2025 9:30 AM Planning Board Meeting

10. ADJOURNMENT

NOTICE: If a person decides to appeal any decision made by the Town Commission with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). There may be one or more Town Commissioners attending the meeting.

Pursuant to the provision of the Americans with Disabilities Act, any person requesting special accommodations to participate in these meetings, because of a disability or physical impairment, should contact the Town at 561-278-4548 at least five calendar days prior to the Hearing.

File Attachments for Item:

A. March 13, 2025





TOWN OF HIGHLAND BEACH PLANNING BOARD REGULAR MEETING MINUTES

Town Hall Commission Chambers 3614 South Ocean Boulevard Highland Beach, Florida 33487 Date: March 13, 2025

Time: 9:30 AM

1. CALL TO ORDER

Vice Chairperson Mendelson called the meeting to order at 9:30 AM.

2. ROLL CALL

Board Member Jason Chudnofsky Board Member David Axelrod Board Member Eve Rosen Board Member Roger Brown Member David Powell Vice Chairperson Ilyne Mendelson Town Attorney Leonard Rubin Deputy Town Clerk Jaclyn DeHart

ADDITIONAL STAFF PRESENT

Town Planner Ingrid Allen

ABSENT

Chairperson Eric Goldenberg

3. PLEDGE OF ALLEGIANCE

The Board Members led the Pledge of Allegiance to the United States of America.

4. APPROVAL OF THE AGENDA

Motion: Rosen/Powell - Moved to approve the agenda as presented which

passed 6 to 0.

5. SWEARING IN OF THE PUBLIC

Deputy Town Clerk Jaclyn DeHart swore in those giving testimony.

6. APPROVAL OF MINUTES

A. January 16, 2025

Motion: Rosen/Axelrod - Moved to approve the minutes as presented which

passed 6 to 0.



7. UNFINISHED BUSINESS

A. None

8. NEW BUSINESS

A. Development Order Application No. PZ-25-18 / Bel Air at Highland Beach Homeowners Association, Inc.

Application by B&M Marine Construction, Inc. Requesting a special exception to install a 430 square foot dock for the property located at 1023 Bel Air Drive.

Vice Chairperson Mendelson read the title of the item and asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Vice Chairperson Mendelson opened the public hearing and called Town Planner Allen to present the application.

Town Planner Allen presented Development Order Application No. PZ-25-18.

The Board discussed the application.

David Nutter of B & M Marine Construction was present and answered questions about the application.

The public hearing was closed followed by a motion.

MOTION:

Rosen/Mendelson - Moved to approve (Development Order No. PZ-2025-18). Based upon roll call: Member Rosen (Yes), Vice Chairperson Mendelson (Yes), Member Brown (Yes), Member Powell (Yes), Member Chudnofsky (Yes), and Member Axelrod (Yes). The motion passed on a 6 to 0 vote.

B. Development Order Application No. PZ-24-14 / Patti & Alan Masarek

Application by Lawrence Frankel, Frankel Homes, requesting an amendment to a previously approved major modification to an existing building (DO# 24-0002) in order to add a 21 square foot balcony to the west side of the residence, and a landscaping plan for the property located at 3515 South Ocean Boulevard.

Vice Chairperson Mendelson read the title of the item and asked the Board Members if they had any ex parte communications to disclose. The Members had no ex parte communications.

Vice Chairperson Mendelson opened the public hearing and called Town Planner Allen to present the application.

Planning Board Regular Meeting Minutes

Date: March 13, 2025



Town Planner Allen presented Development Order Application No. PZ-24-14 and briefly reviewed the history of the property in regard to the previously approved major modification plans. She mentioned that the FDOT approval is pending, and this application has two approval conditions. FDOT approval of proposed landscaping in right of way, and Town Commission approval of an amendment to FDOT's Landscape Inclusive Memorandum of Agreement.

Aaron Mastin of PLA Design Studios was present and answered questions about the application.

The public hearing was closed followed by a motion.

MOTION:

Chudnofsky/Axelrod - Moved to approve (Development Order No. PZ-24-14) with the following conditions': FDOT approval of proposed landscaping in right of way and Town Commission approval of an amendment to FDOT's Landscape Inclusive Memorandum of Agreement. Based upon roll call: Member Chudnofsky (Yes), Member Axelrod (Yes), Member Rosen (Yes), Member Brown (Yes), Member Powell(Yes), and Vice Chairperson Mendelson (Yes). The motion passed on a 6 to 0 vote.

9. ANNOUNCEMENTS

April 08, 2025	1:00 PM	Special Magistrate Hearing
April 10, 2025	9:30 AM	Planning Board Meeting

Planning Board Regular Meeting Minutes

Date: March 13, 2025



10. ADJOURNMENT

The meeting adjourned at 9:55 AM.

APPROVED on April 15, 2025 Plann	ing Board Regular Meeting.		
ATTEST:	Eric Goldenberg, Chairperson		
	Transcribed by: <u>Jaclyn DeHart</u>		
	04/15/2025		
Jaclyn DeHart	Date		

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the event of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: https://highlandbeach-fl.municodemeetings.com/.

File Attachments for Item:

A. Development Order Application No. PZ-25-19 / AJR Grand Highland Beach LLC / David Nutter

Application by B&M Marine Construction, Inc. requesting a special exception to install a 120 square foot finger pier and one (1) mooring pile for the property located at 1006 Grand Court.

HIGHLAND BEACH BUILDING DEPARTMENT



3614 S. Ocean Boulevard Highland Beach, FL 33487 Ph: (561) 278-4540

PLANNING BOARD
STAFF REPORT

MEETING OF: APRIL 10, 2025

TO: PLANNING BOARD

FROM: INGRID ALLEN, TOWN PLANNER

SUBJECT: APPLICATION BY B&M MARINE CONSTRUCTION, INC.

REQUESTING A SPECIAL EXCEPTION TO INSTALL A 120 SQUARE FOOT FINGER PIER AND ONE (1) MOORING PILE FOR THE PROPERTY LOCATED AT 1006 GRAND COURT

(APPLICATION NO. PZ-25-19)

I. GENERAL INFORMATION:

Applicant (Property Owner): AJR Grand Highland Beach LLC

40220 Grand River Avenue

Novi. MI 48375

Applicant's Agent: David Nutter

B & M Marine Construction, Inc. 1211 South Military Trail #220 Deerfield Beach, FL 33442

Property Characteristics:

Comprehensive Plan Land Use: Multi Family Low Density

Zoning District: Residential Multiple Family Low Density (RML)

Parcel PCN#: 24-43-47-09-00-002-0090

Project Location: 1006 Grand Court

Accessory Marine Facility Background:

On February 8, 2017, the Planning Board approved a request (Application No. 39412) to install a 40,000 pound, eight (8) post platform boat lift.

On October 11, 2017, the Planning Board approved a request (Application No. 39412) to add two (2) additional posts to the previously approved eight (8) post platform boat lift.

On May 23, 2019, the Town's Building Official, Jeffrey Massie, issued a Stop Work Order on Permit No. 39412.

On July 9, 2020, the Planning Board continued to the August 13, 2020 meeting (in an effort to have the Applicant reach a compromise with his neighbors), a request to increase the height of the boat lift pilings from four (4) feet above the existing dock decking, as approved on February 8, 2017, to 12 feet above the existing dock decking (Development Order No. 19-0001).

On August 13, 2020, the Planning Board "disapproved" Development Order No. 19-0001.

On September 1, 2020, the Town's Building Official issued a Notice of Violation (NOV) for the boat lift and associated structure/pilings.

On November 12, 2020, the Planning Board denied a request for an amendment to a previously approved ten post platform boat lift to increase the height of the boat lift pilings from four (4) feet to seven (7) feet from the existing dock.

On May 18, 2021, the Town Commission approved a settlement agreement between the Town and 1006 Grand Court LLC (the property owner at the time) to allow the construction of a boat lift with pilings at a height of seven (7) feet (Resolution No. 2021-008).

On November 3, 2022, a code violation was issued to the property owner at the time (Case No. CC2022-11-006) regarding unsafe lift pilings. Subsequently the lift pilings were removed, and the code case was deemed resolved.

Request and Analysis:

The Applicant is requesting a special exception to install a 120 square foot (30 feet x 4 feet) finger pier and one (1) mooring pile at the property located at 1006 Grand Court.

The Applicant has obtained Florida Department of Environmental Protection (FDEP) authorization for the above-referenced request (FDEP File No. 50-0345492-005-EE). According to the FDEP authorization (dated December 27, 2024), a separate permit or authorization from the U.S. Army Corps of Engineers is not required.

Section 30-68(g)(1) of the Town Code indicates that accessory marine facilities including docks, piers and freestanding piles are permitted as accessory uses in all residential zoning districts and shall be reviewed as special exceptions by the Planning Board.

Section 30-68(g)(6)a. of the Town Code states that in waterways regulated by the Army Corp of Engineers or other governmental regulatory agency, mooring facilities shall not extend into the water more than twenty-five feet or 25 percent of the waterway width, whichever is less, measured from the wet face of the seawall and bulkhead. However, Section 30-68(g)(7)c.4. states that docks or accessory mooring facilities for perpendicular docking of boats may exceed the maximum extension into a waterway allowed for accessory marine facilities (see below criteria which is bolded for emphasis). In addition, Section 30-68(g)(7)a. states that a boat moored at the landward end of a canal constructed for boat docking purposes may be moored perpendicular at the property line, provided such mooring does not impede the navigation of adjacent property owners. The perpendicular docking of a boat in a canal shall be subject to the following criteria found in Section 30-68(g)(7)c.:

- 1. Location of docks, docked boats, and relation to side setbacks shall be established by the waterward extension of property lines.
- 2. Perpendicular docking of boats shall not interfere with navigation of other boats within the affected canal, and will not be a hazard to navigation.
- 3. Perpendicular docking of boats shall comply with all setbacks required for accessory marine facilities.
- 4. Docks or accessory mooring facilities approved by the planning board for perpendicular docking of boats may exceed the maximum extension into a waterway allowed for accessory marine facilities.
- 5. The building official or designee, or planning board may request evidence, prepared by a recognized marine expert, demonstrating the following:
 - i. Proposed perpendicular docking and related accessory marine facilities will not reasonably deny or otherwise limit the ability of abutting or adjacent property owners to construct accessory marine facilities;
 - ii. Proposed perpendicular docking and related accessory marine facilities will not reasonably deny or otherwise limit the normal ability of abutting or adjacent property owners to moor, maneuver, use or otherwise move a boat; and
 - iii. Proposed perpendicular docking and related accessory marine facilities will not deny reasonable visual access of abutting property owners to public waterways.

The proposed request including plans date stamped received by the Building Department on March 21, 2025 was reviewed by Applied Technology & Management, Inc. (ATM) who has a Professional Services Agreement with the Town of Highland Beach for coastal and marine engineering. Dr. Michael G. Jenkins, ATM's Coastal Engineering Principal, provided a technical review of the special exception request (see attached report).

Section 30-36(a) of the Town code states that the Planning Board may approve, approve with conditions, or deny a request for special exception relating to accessory marine facilities.

If the Planning Board approves the request, the Applicant will be required to obtain a building permit from the Town of Highland Beach Building Department following such approval and prior to initiation of construction. Pursuant to Section 30-21(g) of the Town Code, commencement of construction shall be initiated within two (2) years following the date of approval by the Planning Board.

Should you have any questions, please feel free to contact me at (561) 637-2012 or idlen@highlandbeach.us

Attachments: Application

Aerials

ATM report FDEP approval

Applicant Plans (11X17)



TOWN OF HIGHLAND BEACH DEVELOPMENT ORDER APPROVAL APPLICATION

PROPERTY INFORMATION ASSOCIAT	ED WITH THIS APPLICATION	1	
Address: 1006 Grand Court, Highland Beach, FL 33487		PCN: 24-43-47-09-00-002-0090	
Full Legal Description of the Property [as	described in the deed] or reference	e to an attachment:	
9-43-47, Lt 6 & SEly 35.68' of Lt 7 Unrec Grand Ca			
Zoning District: RML - Multi-Family Low-Density	What is the location of the installation? Intracoastal Waterway (ICW) Interior Canal/Basin N/A		
PROPERTY OWNER (APPLICANT) INFO			
Name: AJR Grand Highland Beach LLC	Phone:	Fax:	
Mailing Address: 40220 Grand River Avenu	e, Novi, MI 48375		
Email Address: jerry1031@aol.com			
ADDI ICANTIC ACERUR INVESTIGATION			
APPLICANT'S AGENT INFORMATION Name: David Nutter	Phone: on a second	Fax:	
	Phone: 954-421-1700	rax:	
Company Name: B & M Marine Constructi	on, Inc.		
Mailing Address: 1211 S Military Trail #200,			
Email Address: david@bm-marine.com permi	ts@bm-marine.com		
rovide a detailed description of the pro existing seawall and marginal dock to remain; estall (1) 12" wood mooring pile	posed_project (use additional p Install 30' x 4' wood framed finger p	ages if necessary): ier on (8) wood piles;	

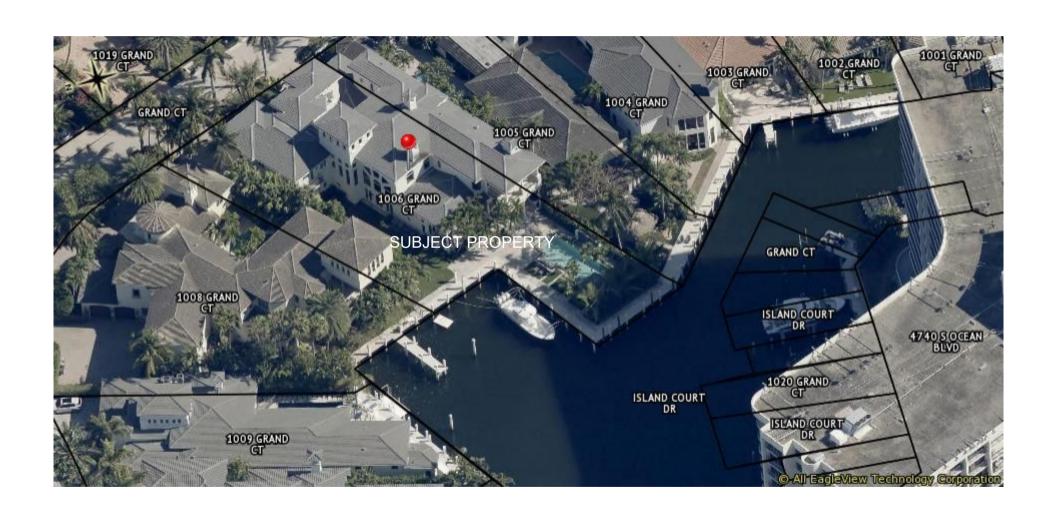
Date Legal Advertisement Published:

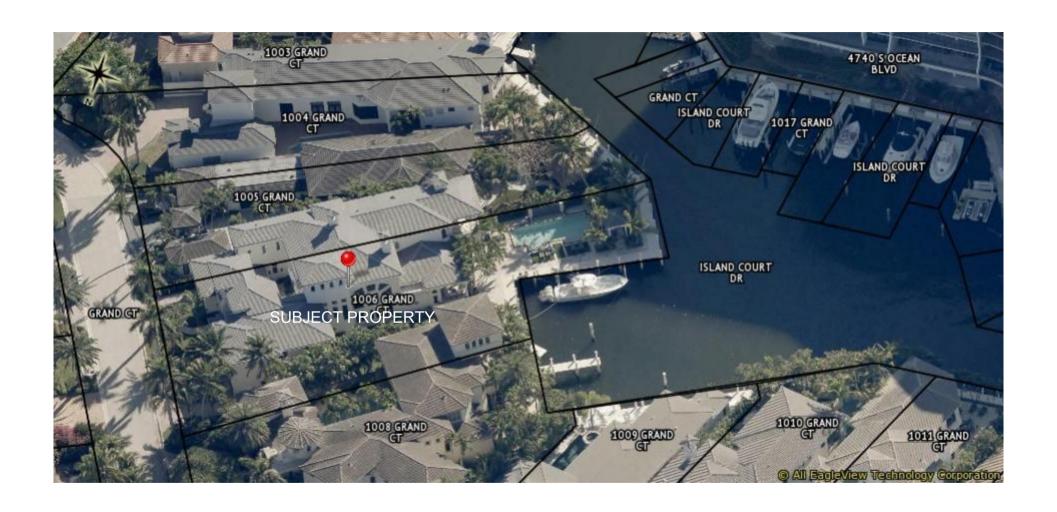
I give permission to the members of the Town Commission, Planning Board and staff to inspect the property for





Rear of subject property







3/19/25

Ingrid Allen Town Planner Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach, FL 33487

Re: Technical Review of Proposed Ancillary Marine Facility – 1006 Grand Court Town of Highland Beach

Ms. Allen,

This correspondence is provided as a formal response to your request for a technical review of the proposed accessory marine facility at 1006 Grand Court, Highland Beach submitted to the Town under a development order approval application dated 12/23/24.

Basis of Review

The following documents were utilized as a basis for this review:

- 1. Development Order Application PZ-25-19, Dated May 23,2024
- 2. FDEP Verification of Exemption, Dated December 27, 2024
- 3. Site Plans prepared by B & M Marine Construction, Inc.; Dated February 2, 2025
- 4. Site Boundary Survey by Baseline Land Surve, LLC; Updated September 26, 2024

This review was limited to the information as provided above and was primarily focused on the proposed structure relative to provisions of Town Code and standard practice. No additional investigations or studies were conducted.



Review relative to Town Code

There are several provisions of relevance within the Town Code regarding the installation of the proposed accessory marine facility. These are summarized in the following:

Sec. 30-68 Supplemental district regulations (g)(1) accessory marine facilities. The proposed construction is appropriately addressed as an 'accessory marine facility' as defined in the Code. Code requires review of the proposal by the Planning Board and approval by special exception at the discretion of the Board.

<u>Sec. 30-68 Supplemental district regulations (g)(1) c</u>. Accessory marine facilities shall not be a hazard to navigation. In general, the proposed structure does not impede fairway access beyond established standards within this canal (see further discussion below).

<u>Sec. 30-68 Supplemental district regulations (g)(4)</u>. When moored, any portion of a boat shall not extend beyond any property line, as extended waterward. This section is relevant to consideration of the potential for conflict with the adjacent property. Further discussion regarding this is provided below.

<u>Sec. 30-68 Supplemental district regulations (g)(6)d</u>. Marine facilities shall comply with side yard setbacks. As this area is zoned multi-family, marine facilities are exempt from side yard setback requirement from all interior lot lines. The proposed vessel berth abuts the north property line, but the proposed finger pier is interior to the parcel.

<u>Sec. 30-68 Supplemental district regulations (g)(7).</u> Perpendicular docking is allowed under certain restrictions that are discussed further below. the proposal is reviewed under the provisions that it is a request for perpendicular docking.

Sec. 30-68 Supplemental district regulations (h)(1) a. Installation is subject to special exception approval by the planning board.

Sec. 30-68 Supplemental district regulations (h)(1) b. The facility is located in a canal or waterway at least eighty (80) feet in width. As measured from seawall to seawall the location is



Page **3** of **7**

in conformance with this provision. It is noted that existing docks and mooring dolphins protrude into this distance, however, the Code does not specifically account for these structures in the width determination.

<u>Sec. 30-68 Supplemental district regulations (h)(4).</u> Adjacent Property. The installation shall not cause a hazardous interference with navigation, endanger life or property or deny the adjacent property owners or public of reasonable visual access to the public waterway. Additional discussion regarding navigation provided below.

<u>Sec. 30-68 Supplemental district regulations (h)(4). Navigation</u>. Installation of the mooring facilities shall not infringe upon standard navigation practices. Additional discussion of navigation is provided below.

Design Review and Discussion

The proposed construction consists of the construction of a new, 30' long by 4' wide wood finger perpendicular to the seawall face (Figure 1). The existing seawall and marginal dock would remain as is. An additional mooring pile is proposed interior to the north riparian line. The finger pier is 17.5 feet south of the property line (as measured along the seawall).

The perpendicular orientation of the dock is allowable (subject to approval) for properties at the end of canals. While the canal does extend further to the south, over the southern portion of this parcel, the area where the proposed construction will occur can be reasonably considered as the landward end of the canal. This general location is preferable to the southern half of the parcel which would be a greater restriction to navigation within the canal for parcels to the south and along the opposite (western) side of the canal. The primary issue of note is the potential for



PROPOSED CONDITIONS IDENTIFICATION:

- 1. EXISTING SEAWALL CAP, PANELS AND PILES TO REMAIN
- EXISTING 159'-2" x 5' WOOD DOCK (800sf) & ASSOC. PILES TO REMAIN
- EXISTING 10" DIA WOOD PILES TO REMAIN (TYP OF 8)
- 4. PROPOSED 30' x 4" WOOD FRAMED FINGER PIER (120:f) ON (8) NEW WOOD PILES
- PROPOSED 12" DIA. MOORING PILE (TYP OF 1)

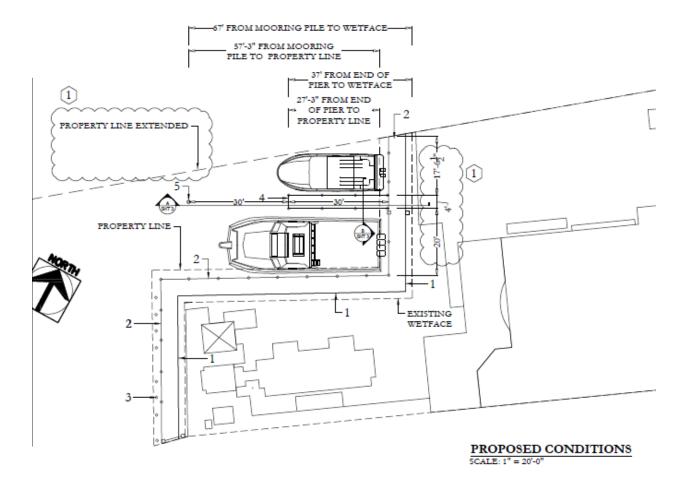


Figure 1. Proposed Finger Pier and Mooring Pile (per submitted plan)

conflict with the adjacent property which in this case is the adjacent property to the north (Figure 2). The adjacent property has a similar, perpendicular finger dock as the proposed structure which is located roughly the same distance north of the property line as the proposed finger pier is proposed south of the property line. In both cases the finger docks are located a similar distance interior from the property line allowing for mooring along the property line. The proposed use is similar to the adjacent property and in both cases there is a potential that a vessel could be moored across the riparian property boundary which is not allowed under Sec. 30-68 Supplemental district regulations (g)(4). The issue is more related to the vessel that is being moored than the finger pier and mooring pile themselves. The adjacent property appears to have a mooring pile near the property boundary would help to differentiate mooring use by



Figure 2. Aerial Image of Subject Property and Adjacent Property to the North. Note existing finger pier for the adjacent property and perpendicular mooring for this property along the property line (*image from Google Maps – dated 3/1/25*)

either party and an additional mooring pile is proposed for this property directly off of the proposed finger pier south of the berth. Both the subject parcel and the adjacent property have similar mooring access with finger piers interior to the properties and perpendicular mooring along the finger pier and riparian line. There is a practical limit to the size of vessel that can be moored for either property along the property line. In principle if either party moors a vessel that extends beyond the property line this would be a violation of Sec. 30-68 Supplemental district regulations (g)(4). and would be actionable by the Town. It is noted that the property boundary is not perpendicular to the seawall and is oriented slightly to the south in terms of the riparian line into the canal. This is a greater restriction to the size of vessel that can be moored in the new berth along the property line for this parcel. Provided the applicant uses this berth with this



Page **6** of **7**

restriction in mind, the activity would be limited to the riparian area of this parcel and would not intrude on the use by the adjacent owner. For both properties there is sufficient fairway and mooring radius from the canal into the mooring berths.

In principle it would be helpful for the applicant to proactively coordinate with the adjacent property owner regarding this issue as it is the primary concern with issuance of a special exception by the Town's planning board.

The proposed finger pier delineates a second, larger vessel berth south of the finger pier between the pier and existing seawall. This berth is interior to the parcel riparian area and is offset from the canal access to the south. The 20-foot width of the berth limits the overall size of vessel that can be moored in this berth and limits the possibility that a vessel could be moored that would significantly extent beyond the seawall into the canal fairway.

Regulatory Approvals

It is noted that correspondence from the FDEP dated December 27, 2024, has been provided documenting that the proposed construction is exempt from the need for an FDEP regulatory authorization and has Federal authorization through the State Programmatic General Permit.

View Discussion

The new finger pier is similar in nature to other finger piers within the canal and utilizes typical construction techniques and dimension. Moored vessels would primarily restrict the view from the subject property. Multiple vessels of similar dimension are present within the canal and the addition of two berths is aesthetically consistent with the current canal use.

Recommendation

Approval of this plan is at the discretion of the Planning Board under special exception. In review of the plan the primary concern is the potential for conflict with the adjacent north parcel from vessel mooring along the property line. This issue is a function of the vessel dimension which could be moored within this berth and not specifically the finger pier and mooring pile proposed. As the approval request is relative to the pier and pile, and not the potential vessel the plan is consistent with the requirements under Town Code for perpendicular docking.



Sincerely,

Applied Technology & Management, Inc.





Digitally signed by Michael Jenkins, PhD, PE Date: 2025.03.19 16:15:06 -04'00' Michael G. Jenkins, Ph.D., P.E. Coastal Engineering Principal Florida Professional Engineer, Lic.No. #58072

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies. The signed and sealed document consists of 6 pages.



From: Rocco, Antonella
To: Ingrid Allen

Subject: RE: file no. 50-0345492-005-EE - 1006 Grant Court

Date: Thursday, March 13, 2025 12:02:35 PM

Attachments: <u>image003.png</u>

Good Afternoon Ingrid,

The mooring pile on the plans was omitted from the description by error of the Department but is ok by our regulatory standards. Please let me know if you would like me to supersede the letter issued December 27, 2024.

Thank you,



Antonella Rocco

Environmental Specialist II
Florida Department of Environmental Protection
Southeast District – West Palm Beach
3301 Gun Club Road, MSC 7210-1
West Palm Beach, FL 33406
Antonella.Rocco@FloridaDEP.Gov

Office: 561-681-6644

Notice: Florida has a broad public records law. Most written communications to or from state officials regarding official business are public records and may be disclosed upon request. Your email communications may therefore be subject to public disclosure.

From: Ingrid Allen <iallen@highlandbeach.us> Sent: Tuesday, February 18, 2025 2:54 PM

To: Rocco, Antonella <Antonella.Rocco@FloridaDEP.gov> **Subject:** FW: file no. 50-0345492-005-EE - 1006 Grant Court

EXTERNAL MESSAGE

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Antonella:

Please see my email below from 1-28-25 and kindly advise on the proposed mooring pile.

Sincerely, Ingrid Allen Town Planner

Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487



(561) 278-4540 Office (option 3) (561) 278-2606 Fax www.highlandbeach.us

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the Town of Highland Beach officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the Town of Highland Beach.

From: Ingrid Allen

Sent: Tuesday, January 28, 2025 4:24 PM **To:** antonella.Rocco@FloridaDEP.gov

Subject: file no. 50-0345492-005-EE - 1006 Grant Court

Antonella:

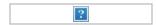
The property associated with the above FDEP file no. has submitted, to the Town, a request for a 120 sf pier as well as <u>one mooring pile</u>. Upon review of FDEP's authorization letter (dated 12-27-24) the project description only details the 120 sf finger pier and not the mooring pile. While the proposed mooring pile is denoted on the proposed plan sheet 2, I just want to be sure FDEP is Ok with it. Kindly advise.

Thank you.



Sincerely, Ingrid Allen Town Planner

Town of Highland Beach 3614 S. Ocean Boulevard Highland Beach FL 33487 (561) 278-4540 Office (option 3) (561) 278-2606 Fax www.highlandbeach.us **PLEASE NOTE:** Florida has a very broad public records law. Most written communications to or from the Town of Highland Beach officials and employees regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. The views expressed in this message may not necessarily reflect those of the Town of Highland Beach.





FLORIDA DEPARTMENT OF Environmental Protection

Southeast District Office 3301 Gun Club Road, MSC 7210-1 West Palm Beach, FL 33406 561-681-6600 Ron DeSantis Governor

Jeanette Nuñez Lt. Governor

Alexis A. Lambert Secretary

December 27, 2024

AJR Grand Highland Beach LLC c/o Jerome Ruggirello 1006 Grand Court Highland Beach, FL 33487 Sent via e-mail: jerry1031@aol.com

Re: File No.: 50-0345492-005-EE

File Name: Ruggirello 1006 Grand Court finger pier

Dear Jerome Ruggirello:

On November 26, 2024, we received your request for verification of exemption to install a new 120 sq. ft. finger pier to an existing 800 sq. ft. dock. The project is located in a residential canal, Class III Waters, adjacent to 1006 Grand Court, Highland Beach, (Section 09, Township 47 South, Range 433 East), in Palm Beach County (Latitude N 26° 23' 38.09" Longitude W -80° 04' 06.58").

Your request has been reviewed to determine whether it qualifies for (1) regulatory exemption, (2) proprietary authorization (related to state-owned submerged lands), and (3) federal approval that may be necessary for work in wetlands or waters of the United States.

Your project qualifies for all three. However, this letter does not relieve you from the responsibility of obtaining other federal, state, or local authorizations that may be required for the activity.

If you change the project from what you submitted, the authorization(s) granted may no longer be valid at the time of commencement of the project. Please contact us prior to beginning your project if you wish to make any changes.

If you have any questions regarding this matter, please contact Antonella Rocco at the letterhead address or at (561) 681-6644, <u>Antonella.Rocco@FloridaDEP.gov</u>.

Project Name: Ruggirello 1006 Grand Court finger pier

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1. Regulatory Review – VERIFIED

Based on the information submitted, the Department has verified that the activity as proposed is exempt, under Chapter 62-330.051(5)(c), Florida Administrative Code, from the need to obtain a regulatory permit under Part IV of Chapter 373 of the Florida Statutes.

This exemption verification is based on the information you provided the Department and the statutes and rules in effect when the information was submitted. This verification may not be valid if site conditions materially change, the project design is modified, or the statutes or rules governing the exempt activity are amended. In the event you need to re-verify the exempt status for the activity, a new request and verification fee will be required. Any substantial modifications to the project design should be submitted to the Department for review, as changes may result in a permit being required.

2. **Proprietary Review - NOT REQUIRED**

The activity does not require further authorization under chapter 253 of the Florida Statutes, or chapters 18-20 or 18-21 of the Florida Administrative Code, F.A.C.,

3. Federal Review - APPROVED

Your proposed activity as outlined in your application and attached drawings qualifies for Federal authorization pursuant to the State Programmatic General Permit VI-R1, and a **SEPARATE permit** or authorization **will not be required** from the Corps. Please note that the Federal authorization expires on July 27, 2026. However, your authorization may remain in effect for up to 1 additional year, if provisions of Special Condition 19 of the SPGP VI-R1 permit instrument are met. You, as permittee, are required to adhere to all General Conditions and Special Conditions that may apply to your project. Special conditions required for your project are attached. A copy of the SPGP VI-R1 with all terms and conditions and the General Conditions may be found at https://www.saj.usace.army.mil/Missions/Regulatory/Source-Book.

Authority for review - an agreement with the USACOE entitled "Coordination Agreement Between the U. S. Army Corps of Engineers (Jacksonville District) and the Florida Department of Environmental Protection (or Duly Authorized Designee), State Programmatic General Permit", Section 10 of the Rivers and Harbor Act of 1899, and Section 404 of the Clean Water Act.

Additional Information

Please retain this letter. The activities may be inspected by authorized state personnel in the future to ensure compliance with appropriate statutes and administrative codes. If the activities are not in compliance, you may be subject to penalties under Chapter 373, F.S., and Chapter 18-14, F.A.C.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until a subsequent order of the Department. Because the administrative hearing

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process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 21 days of publication of the notice or within 21 days of receipt of the written notice, whichever occurs first. You cannot justifiably rely on the finality of this decision unless notice of this decision and the right of substantially affected persons to challenge this decision has been duly published or otherwise provided to all persons substantially affected by the decision. While you are not required to publish notice of this action, you may elect to do so pursuant Rule 62-110.106(10)(a).

The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and

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120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C. If you do not publish notice of this action, this waiver will not apply to persons who have not received written notice of this action.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at <a href="majority-self-union-self-unio

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000) and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within 30 days from the date this action is filed with the Clerk of the Department.

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EXECUTION AND CLERKING

Executed in Palm Beach County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Antonella Rocco Environmental Specialist II Southeast District

Enclosures:

Attachment A- Specific Exemption Rule Special Conditions for Federal Authorization for SPGP VI-R1 General Conditions for Federal Authorization for SPGP VI-R1 Project drawings, 5 pages

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

FDEP – Danielle C. Sattelberger, Antonella Rocco David Nutter, B & M Marine Construction Inc., david@bm-marine.com

Additional mailings:

Matt Mitchell, Palm Beach County, Environmental Resources, mmitchell@pbcgov.org

IF SPGP GREEN INCLUDE:

USACE spgp@usace.army.mil

USACE nmfs.ser.statewideprogrammatic@noaa.gov

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

Danislle Lucido December 27, 2024

Clerk Date

Attachment A

Chapter 62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

- (5) Dock, Pier, Boat Ramp and Other Boating-related Work –
- (c) Construction of private docks or piers of 1,000 square feet or less of over-water surface area in artificial waters in accordance with section 403.813(1)(i), F.S., and within residential canal systems legally in existence under chapter 403 or part IV of chapter 373, F.S. This includes associated structures such as roofs and boat lifts, provided the cumulative square footage of the dock or pier and all associated structures located over wetlands and other surface waters does not exceed 1,000 square feet.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.406, 373.4131, 373.4145, 373.415, 403.813(1) FS. History–New 10-1-13, Amended 6-1-18.

Special Conditions for Federal Authorizations for SPGP VI-R1

- Authorization, design and construction must adhere to the terms of the SPGP VI-R1
 instrument including the General Conditions for All Projects, Special Conditions for All
 Projects, Applicable activity-specific special conditions, Procedure and Work
 Authorized sections.
- 2. Design and construction must adhere to the PDCs for In-Water Activities (Attachment 28, from PDCs AP.7 through AP11, inclusive, of JAXBO) (Reference: JAXBO PDC AP.1.).
- 3. All activities must be performed during daylight hours (Reference: JAXBO PDC AP.6.).
- 4. For all projects involving the installation of piles, sheet piles, concrete slab walls or boatlift I-beams (Reference Categories A, B and C of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86):
 - a. Construction methods limited to trench and fill, pilot hole (auger or drop punch), jetting, vibratory, and impact hammer (however, impact hammer limited to installing no more than 5 per day).
 - b. Material limited to wood piles with a 14-inch diameter or less, concrete piles with a 24-inch diameter/width or less, metal pipe piles with a 36-inch diameter or less, metal boatlift I-beams, concrete slab walls, vinyl sheet piles, and metal sheet piles.
 - c. Any installation of metal pipe or metal sheet pile by impact hammer is not authorized (Reference: Categories D and E of JAXBO *PDCs for In-Water Noise from Pile and Sheet Pile Installation*, page 86.).
 - d. Projects within the boundary of the NOAA Florida Keys National Marine Sanctuary require prior approval from the Sanctuary (Reference: JAXBO PDCs AP.14 and A1.6).
- 5. The Permittee shall comply with the "Standard Manatee Conditions for In-Water Work 2011" (Attachment 29).
- 6. No structure or work shall adversely affect or disturb properties listed in the National Register of Historic Places or those eligible for inclusion in the National Register. Prior to the start of work, the Applicant/Permittee or other party on the Applicant's/Permittee's behalf, shall conduct a search of known historical properties by contracting a professional archaeologist, and contacting the Florida Master Site File at 850-245-6440 or SiteFile@dos.state.fl.us. The Applicant/Permittee can also research sites in the National Register Information System (NRIS). Information can be found at http://www.cr.nps.gov/nr/research.

- a. If, during the initial ground disturbing activities and construction work, there are archaeological/cultural materials unearthed (which shall include, but not be limited to: pottery, modified shell, flora, fauna, human remains, ceramics, stone tools or metal implements, dugout canoes or any other physical remains that could be associated with Native American cultures or early colonial or American settlement), the Permittee shall immediately stop all work in the vicinity and notify the Compliance and Review staff of the State Historic Preservation Office at 850-245- 6333 and the Corps Regulatory Archeologist at 904-232-3270 to assess the significance of the discovery and devise appropriate actions, including salvage operations. Based on the circumstances of the discovery, equity to all parties, and considerations of the public interest, the Corps may modify, suspend, or revoke the permit in accordance with 33 C.F.R. § 325.7.
- b. In the unlikely event that human remains are identified, the remains will be treated in accordance with Section 872.05, Florida Statutes; all work in the vicinity shall immediately cease and the local law authority, and the State Archaeologist (850-245-6444) and the Corps Regulatory Archeologist at 904-232-3270 shall immediately be notified. Such activity shall not resume unless specifically authorized by the State Archaeologist and the Corps.
- 7. The Permittee is responsible for obtaining any "take" permits required under the U.S. Fish and Wildlife Service's regulations governing compliance with these laws. The Permittee should contact the appropriate local office of the U.S. Fish and Wildlife Service to determine if such "take" permits are required for a particular activity.
- 8. Mangroves. The design and construction of a Project must comply with the following (Reference: JAXBO PDCs AP.3 and AP.12.):
 - a. All projects must be sited and designed to avoid or minimize impacts to mangroves.
 - b. Mangrove removal must be conducted in a manner that avoids any unnecessary removal and is limited to the following instances:
 - (1) Removal to install up to a 4-ft-wide walkway for a dock.
 - (2) Removal of mangroves above the mean high water line (MHWL) provided that the tree does not have any prop roots that extend into the water below the MHWL.
 - (3) Mangrove trimming. Mangrove trimming refers to the removal (using hand equipment such as chain saws and/or machetes) of lateral branches (i.e., no alteration of the trunk of the tree) in a manner thatensures survival of the tree.
 - (a) Projects with associated mangrove trimming waterward of the MHWL are authorized if the trimming: (a) occurs within the area where the authorized structures are placed or will be placed (i.e., removal of branches that overhang a dock or lift), (b) is necessary to provide temporary construction access, and (c) is conducted in a

manner that avoids any unnecessary trimming.

- (b) Projects proposing to remove red mangrove prop roots waterward of the MHWL are not authorized, except for removal to install the dock walkways as described above.
- 9. For Projects authorized under this SPGP VI-R1 in navigable waters of the U.S., the Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- 10. Notifications to the Corps. For all authorizations under this SPGP VI-R1, including Self-Certifications, the Permittee shall provide the following notifications to the Corps:
 - a. Commencement Notification. Within 10 days from the date of initiating the work authorized by this permit the Permittee shall submit a completed "Commencement Notification" form (Attachment 8).
 - b. Corps *Self-Certification Statement of Compliance* form. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the "Self-Certification Statement of Compliance" form (Attachment 9) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self- Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.
 - c. Permit Transfer. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form (Attachment 10).
 - d. Reporting Address. The Permittee shall submit all reports, notifications, documentation, and correspondence required by the general and special conditions of this permit to the following address.
 - (1) For standard mail: U.S. Army Corps of Engineers, Regulatory Division, Enforcement Section, P.O. Box 4970, Jacksonville, FL, 32232-0019.
 - (2) For electronic mail: SAJ-RD-Enforcement@usace.army.mil (not to exceed 10 MB). The Permittee shall reference this permit number, SAJ-2015-2575 on all submittals.

- 11. The District Engineer reserves the right to require that any request for authorization under this SPGP VI-R1 be evaluated as an Individual Permit. Conformance with the terms and conditions of the SPGP VI-R1 does not automatically guarantee Federal authorization.
- 12. On a case-by-case basis, the Corps may impose additional Special Conditions which are deemed necessary to minimize adverse environmental impacts.
- 13. Failure to comply with all conditions of the SPGP VI-R1 constitutes a violation of the Federal authorization
- 14. The SPGP VI-R1 will be valid through the expiration date unless suspended or revoked by issuance of a public notice by the District Engineer. The Corps, in conjunction with the Federal resource agencies, will conduct periodic reviews to ensure that continuation of the permit during the period ending expiration date, is not contrary to the public interest. The SPGP VI-R1 will not be extended beyond the expiration date but may be replaced by a new SPGP. If revocation occurs, all future applications for activities covered by the SPGP VI-R1 will be evaluated by the Corps.
- 15. If the SPGP VI-R1 expires, is revoked, or is terminated prior to completion of the authorized work, authorization of activities which have commenced or are under contract to commence in reliance upon the SPGP VI-R1 will remain in effect provided the activity is completed within 12 months of the date the SPGP VI-R1 expired or was revoked.

Special Conditions for Docks, Piers, Associated Facilities, and other Minor Piling-Supported Structures.

- 16. Chickees must be less than 500 ft² and support no more than 2 slips (Reference: JAXBO PDC A2.1.6.).
- 17. The design and construction of a Project over marsh (emergent vegetation) must comply with the following:
 - a. The piling-supported structure shall be aligned so as to have the smallest over- marsh footprint as practicable.
 - b. The over-marsh portion of the piling-supported structure (decking) shall be elevated to at least 4 feet above the marsh floor.
 - c. The width of the piling-supported is limited to a maximum of 4 feet. Any exceptions to the width must be accompanied by an equal increase in height requirement.
- 18. Mangroves. For pile-supported structures, the following additional requirements for

mangroves found in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) shall apply:

- a. The width of the piling-supported structure is limited to a maximum of 4 feet.
- b. Mangrove clearing is restricted to the width of the piling-supported structure.
- c. The location and alignment of the piling-supported structure should be through the narrowest area of the mangrove fringe.
- 19. Regarding SAV, the design and construction of a Project must comply with the following:
 - a. A pile supported structure
 - (1) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and
 - (2) that is within the range of seagrass (estuarine waters within all coastal counties except for Nassau, Duval, St Johns, Flagler and Volusia north of Ponce Inlet), but outside of the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) will be constructed to the following standards:
 - (a) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then SAV is presumed present and the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of SPGP, two uncovered boatlifts are allowed.
 - (i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.
 - (ii) Boatlifts and minor structures in Monroe County may be installed within existing boat slips without completion of a SAV survey. Boatlift accessory structures, like catwalks, shall adhere to "Construction Guidelines in Florida for Minor Piling- Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) if a SAV survey has not been completed.

- (iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).
- (b) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then the pile-supported structure must comply with, or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.
- (i) If the pile supported structure is currently serviceable, repair and replacement may occur in the same footprint without completion of a benthic survey.
- (ii) Boatlifts may be installed within existing boat slips without completion of a SAV survey.
- (iii) A marginal dock may be constructed a maximum of 5 feet overwater, as measured from the waterward face (wet face) of the seawall).
- (c) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), then no design restrictions are required and boatlifts may include a cover.
 - (d) A pile supported structure
- (i) that is located on a natural waterbody (i.e. outside an artificial waterway that was excavated for boating access and is bordered by residential properties); and
- (ii) that is within the range of Johnson's seagrass (the range of Johnson's seagrass is defined as Turkey Creek/Palm Bay south to central Biscayne Bay in the lagoon systems on the east coast of Florida) but not within Johnson's seagrass critical habitat will be constructed to the following standards:
- (iii) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.

- (e) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.
- (f) If a survey is performed in accordance with the methods described in the procedure section of this document, section I.3, and SAV is absent (including seagrass, tidal freshwater SAV and emergent vegetation), THEN no design restrictions are required and boatlifts may include a cover.
- (g) A pile supported structure located within Johnson's seagrass critical habitat will be constructed to the following standards:
- (i) If no survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, then seagrass is presumed present and the pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11) with the sole exception of the number of allowable boat lifts. For the purposes of this permit, two uncovered boatlifts are allowed.
- (ii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is absent and the project is
 - 1. A dock replacement in the same footprint, no design restrictions are required.
 - 2. A new dock or dock expansion THEN pile-supported structure must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.
- (iii) If a survey is performed in accordance with the methods described in the Procedure section of this document, section I.3, and SAV is present (including seagrass, tidal freshwater SAV and emergent vegetation), then pile-supported structure

must comply with or provide a higher level of protection than, the protective criteria in the joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Construction Guidelines in Florida for Minor Piling-Supported Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" U.S. Army Corps of Engineers/National Marine Fisheries Service updated November 2017 (Attachment 11). For the purposes of this permit, two uncovered boatlifts are allowed.

- 20. North Atlantic Right Whale. The attached North Atlantic Right Whale Information Form (Attachment 30) describes the presence of North Atlantic right whales in the area and the Federal regulations governing the approach to North Atlantic right whales. The FDEP or Designee will attach the North Atlantic Right Whale Information Form to their authorizations for any dock project (new construction, repair, or replacement) at a private residence located within 11 nautical miles of an inlet that leads to areas within the known range of North Atlantic right whale. These zones, with an 11 nm radius, are described by the North Atlantic Right Whale Educational Sign Zones, Attachment 7 (from Section 2.1.1.4 of JAXBO, pages 31 and 32, inclusive). (Reference JAXBO PDC A2.4).
- 21. Educational Signs. For commercial, multi-family, or public facilities, and marine events, signs must be posted as described below (Reference: These replicate JAXBO PDCs A.2.2 and A.2.2.1 to A.2.2.3., inclusive, within the table PDCs Specific to Activity 2 Pile Supported Structures and Anchored Buoys, starting on page 112.):
 - a. For commercial, multi-family, or public facilities, and marine events, signs must be posted in a visible location(s), alerting users of listed species in the area susceptible to vessel strikes and hook-and-line captures. The most current version of the signs that must be downloaded and sign installation guidance are available at: (https://www.fisheries.noaa.gov/southeast/consultations/protected-species- educational-signs). The signs required to be posted by area are stated below: https://www.fisheries.noaa.gov/southeast/consultations/protected-species- educational-signs
 - (1) All projects in Florida shall use the Save Sea Turtle, Sawfish, and Dolphin sign. These signs shall include contact information to the sea turtle and marine mammal stranding networks and smalltooth sawfish encounter database.
 - (2) Projects within the North Atlantic right whale educational sign zone shall post the Help Protect North Atlantic Right Whales sign.
 - (3) On the east coast of Florida, projects located within the St. Johns River and those occurring north of the St. Johns River to the Florida-Georgia line shall post the Report Sturgeon sign. On the west coast of Florida, projects occurring from the Cedar Key, Florida north to the Florida-Alabama line.
- 22. Monofilament Recycling Bins. For commercial, multi-family, or public facilities,

monofilament recycling bins must be provided as described below (Reference: The below replicates PDC A.2.3 within the table PDCs Specific to Activity 2 – Pile Supported Structures and Anchored Buoys, the PDC itself on page 113 of the JAXBO.):

- a. For commercial, multi-family, or public facilities, monofilament recycling bins must be provided at the docking facility to reduce the risk of turtle or sawfish entanglement in, or ingestion of, marine debris. Monofilament recycling bins must:
- (1) Be constructed and labeled according to the instructions provided at http://mrrp.myfwc.com.
- (2) Be maintained in working order and emptied frequently (according to http://mrrp.myfwc.com standards) so that they do not overflow.
- 23. Lighting for docks installed within visible distance of ocean beaches. If lighting is necessary, then turtle-friendly lighting shall be installed. Turtle-friendly lighting is explained and examples are provided on the Florida Fish and Wildlife Conservation Commission website: http://myfwc.com/wildlifehabitats/managed/sea-turtles/lighting/ (Reference: JAXBO PDC A2.8.).
- 24. Construction Location. Project construction shall take place from uplands or from floating equipment (e.g., barge); prop or wheel-washing is prohibited (Reference: JAXBO PDC A2.9.).
- 25. Aids to Navigation (ATONs). ATONs must be approved by and installed in accordance with the requirements of the U.S. Coast Guard (i.e., 33 C.F.R., chapter I, subchapter C, part 66, Section 10 of the Rivers and Harbors Act, and any other pertinent requirements) (Reference: JAXBO PDC A2.5.).
- 26. Aids to Navigation (ATONs) in Acropora critical habitat. The distance from ATONs to ESA-listed corals and Acropora critical habitat (Attachment 20) shall ensure there are no impacts to the corals or the essential feature of Acropora critical habitat from the movement of buoys and tackle. The appropriate distance shall be based on the size of the anchor chain or other tackle to be installed to secure the buoy to its anchor, particularly when the design of the ATON does not prohibit the contact of tackle with the marine bottom. In all cases, buoy tackle will include flotation to ensure there is no contact between the anchor chain or line and the marine bottom (Reference: JAXBO PDC A2.10.).
- 27. Within Loggerhead sea turtle critical habitat (Reference: JAXBO PDC A2.15.):
 - (1) ATONs (pile-supported and anchored buoys) are allowed in nearshore reproductive habitat of the Northwest Atlantic Distinct Population Segment (NWA DPS) of loggerhead sea turtle critical habitat.
 - (2) No other pile-supported structures are allowed in nearshore reproductive habitat.

General Conditions for All Projects:

- 1. The time limit for completing the work authorized ends on <u>July 27,2026.</u>
- 2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
- 3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- 4. If you sell the property associated with this permit, you must obtain the signature of the new owner on the enclosed form (Attachment 10) and forward a copy of the permit to this office to validate the transfer of this authorization.
- 5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.
- 6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Further Information:

- 1. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.
 - b. This permit does not grant any property rightsor exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal projects.
- 2. Limits of Federal Liability. In issuing this permit, the Federal Government does not

assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by oron behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or Construction deficiencies associated with the permittedwork.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.
- 3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.
- 4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:
 - a. You fail to comply with the terms and conditions of this permit.
 - b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).
 - c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.
- 5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CER 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.
- 6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date the enclosed form.

7. The Permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the Permittee will be required, upon due notice from the U.S. Army Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal, relocation or alteration.

Department of the Army Permit Transfer for SPGP VI-R1

PERMITEE:		
PERMIT NUMBER:	DATE:	
ADDRESS/LOCATION OF PROJECT	:	
(Subdivision)	(Lot) (Block)	
property is transferred, the terms and co new owner(s) of the property. <u>Although</u> <u>Department of the Army permits is finit</u> To validate the transfer of this permit compliance with its terms and condition	ed by this permit are still in existence at the time the nditions of this permit will continue to be binding on the construction period for works authorized by e, the permit itself, with its limitations, does not expand the associated responsibilities associated with s, have the transferee sign and date below and mail ment Branch, Post Office Box 4970, Jacksonville, I	on the oire.
(Transferee Signature)	(Date)	
(Name Printed)		
(Street address)		
(Mailing address)		
(City, State, Zip Code)		

STANDARD MANATEE CONDITIONS FOR IN-WATER WORK

2011

The permittee shall comply with the following conditions intended to protect manatees from direct project effects:

- a. All personnel associated with the project shall be instructed about the presence of manatees and manatee speed zones, and the need to avoid collisions with and injury to manatees. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act, the Endangered Species Act, and the Florida Manatee Sanctuary Act.
- b. All vessels associated with the construction project shall operate at "Idle Speed/No Wake" at all times while in the immediate area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- c. Siltation or turbidity barriers shall be made of material in which manatees cannot become entangled, shall be properly secured, and shall be regularly monitored to avoid manatee entanglement or entrapment. Barriers must not impede manatee movement.
- d. All on-site project personnel are responsible for observing water-related activities for the presence of manatee(s). All in-water operations, including vessels, must be shutdown if a manatee(s) comes within 50 feet of the operation. Activities will not resume until the manatee(s) has moved beyond the 50-foot radius of the project operation, or until 30 minutes elapses if the manatee(s) has not reappeared within 50 feet of the operation. Animals must not be herded away or harassed into leaving.
- e. Any collision with or injury to a manatee shall be reported immediately to the FWC Hotline at 1-888-404-3922. Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-731-3336) for north Florida or Vero Beach (1-772-562-3909) for south Florida, and to FWC at ImperiledSpecies@myFWC.com
- f. Temporary signs concerning manatees shall be posted prior to and during all in-water project activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the Florida Fish and Wildlife Conservation Commission (FWC) must be used (see MyFWC.com/manatee). One sign which reads *Caution: Boaters* must be posted. A second sign measuring at least 81/2" by 11" explaining the requirements for "Idle Speed/No Wake" and the shut down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. Questions concerning these signs can be sent to the email address listed above.

CAUTION: MANATEE HABITAT

All project vessels

IDLE SPEED / NO WAKE

When a manatee is within 50 feet of work all in-water activities must

SHUT DOWN

Report any collision with or injury to a manatee:



1-888-404-FWCC(3922)

cell *FWC or #FWC





National Oceanic and Atmospheric Administration NATIONAL MARINE FISHERIES SERVICE

Southeast Regional Office 263 13th Avenue South St. Petersburg, FL 33701

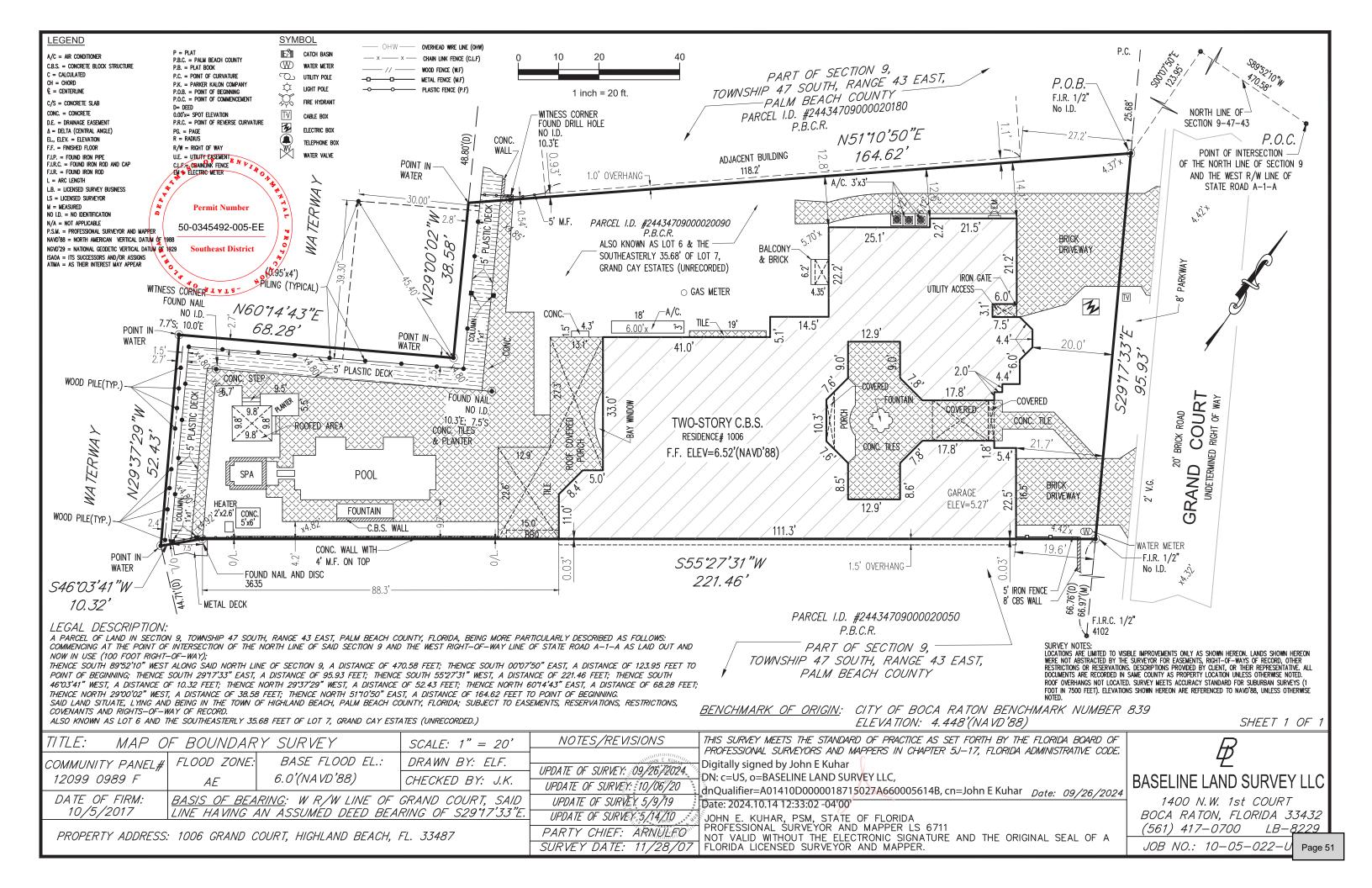
SEA TURTLE AND SMALLTOOTH SAWFISH CONSTRUCTION CONDITIONS

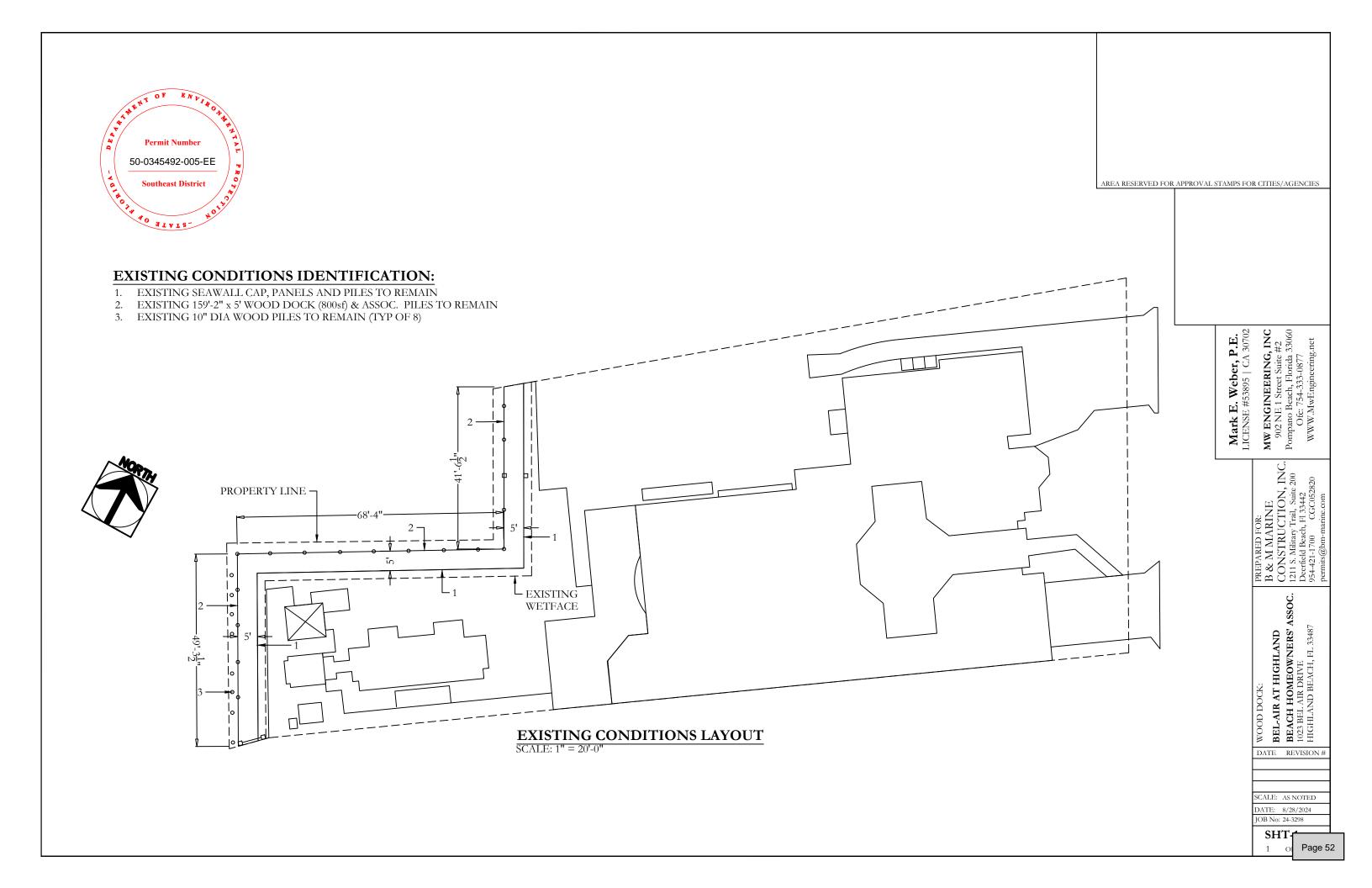
The permittee shall comply with the following protected species construction conditions:

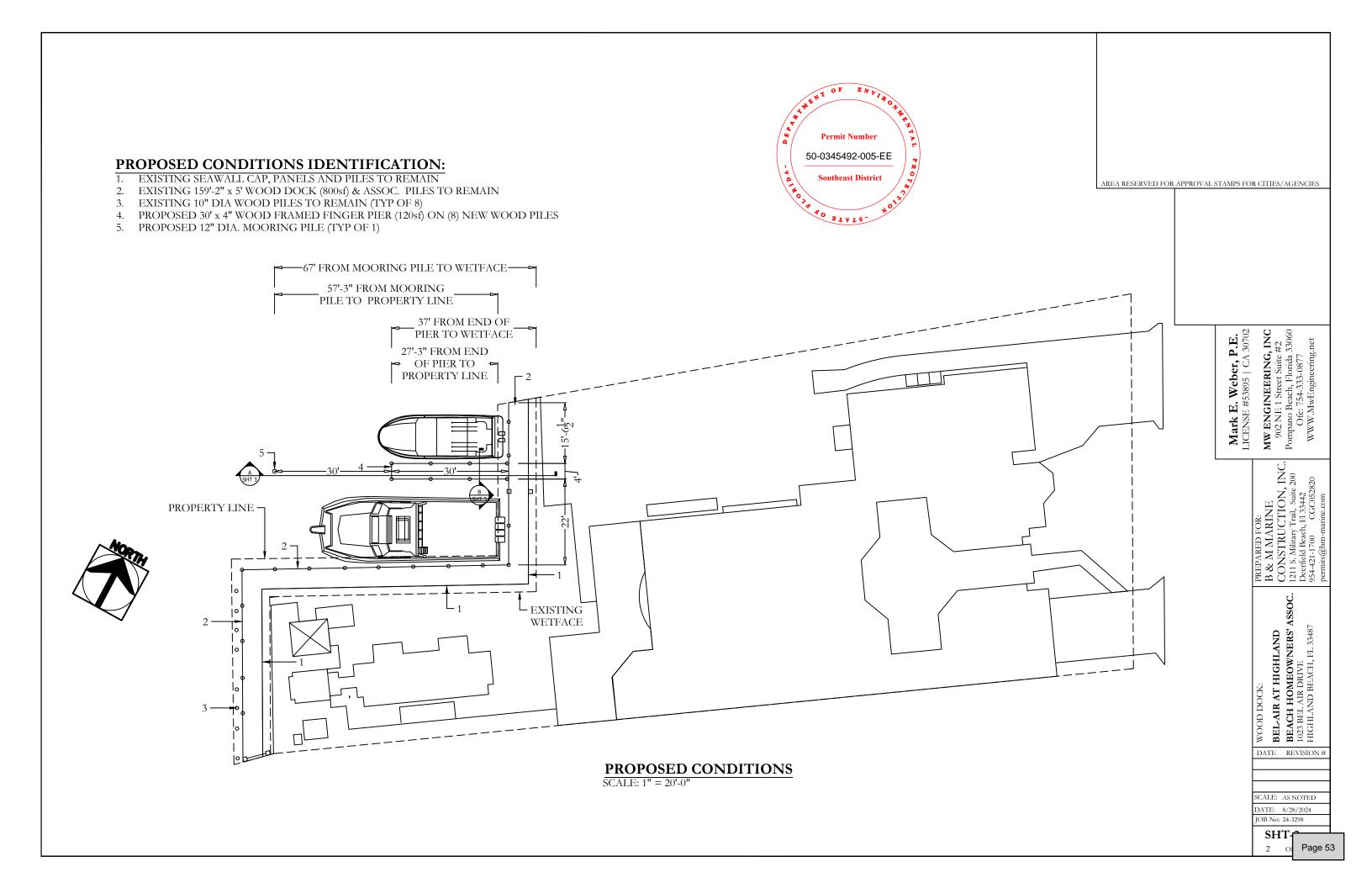
- a. The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species.
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973.
- c. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible.
- e. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition.
- f. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

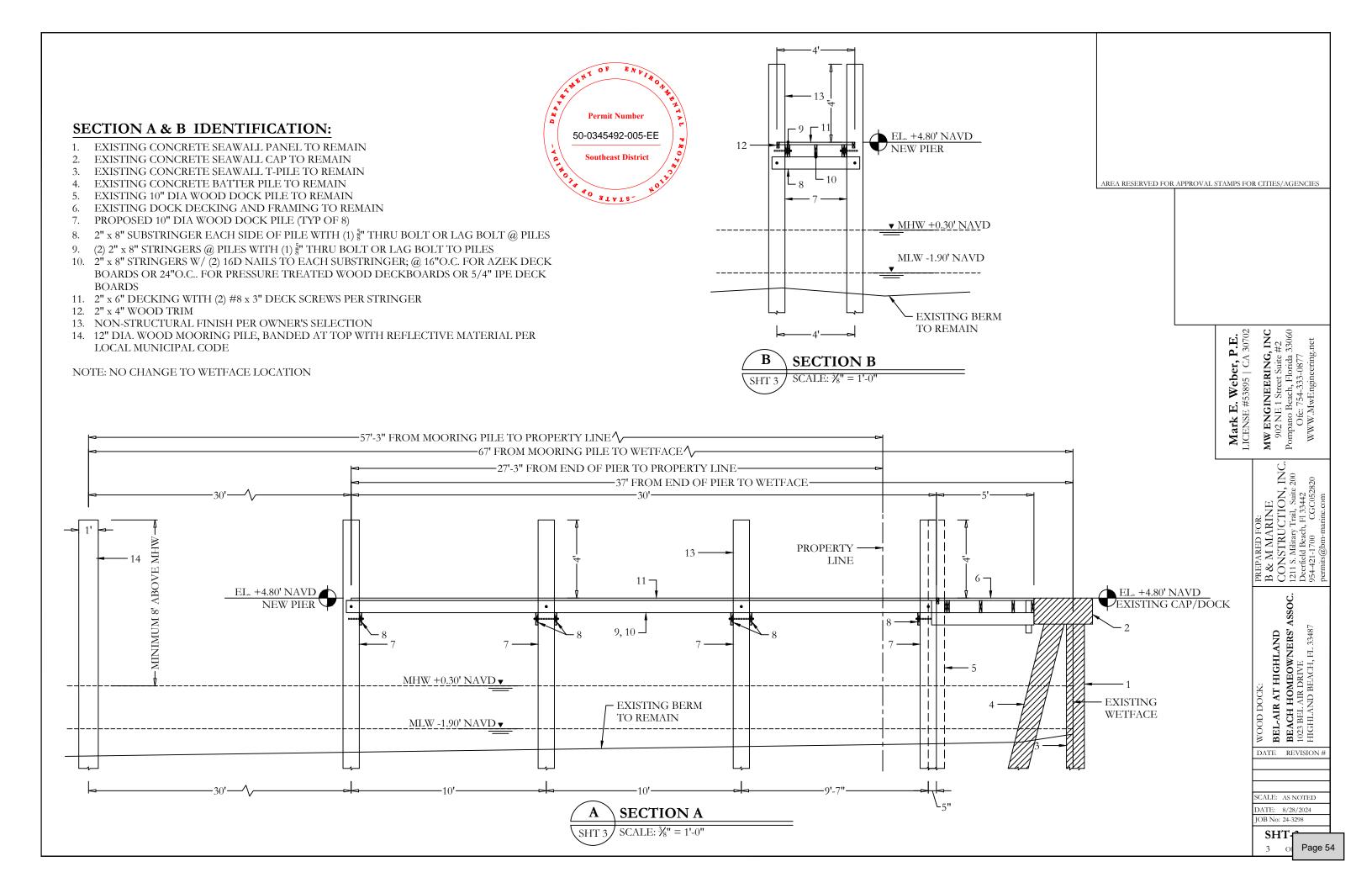
- g. Any special construction conditions, required of your specific project, outside these general conditions, if applicable, will be addressed in the primary consultation.
- h. Any collision(s) with and/or injuries to any whale, or sturgeon occurring during the construction of a project, shall be reported immediately to NMFS's Protected Resources Division (PRD) at (727-824-5312).
- i. Reports to NMFS's Protected Resources Division (PRD) may be made by email to takereport.nmfsser@noaa.gov.
- j. Sea turtle and marine stranding/rescue organizations' contact information is available by region at http://www.nmfs.noaa.gov/pr/health/networks.htm.
- k. Smalltooth sawfish encounters shall be reported to http://www.flmnh.ufl.edu/fish/sharks/sawfish/sawfishencounters.html.
- 1. All work must occur during daylight hours.











GENERAL NOTES:

- 1. Construction to follow the Florida Building Code 8th Edition (2023) and 2020 NEC and amendments as applicable and all Local, State and Federal Laws.
- Licensed contractor shall verify the existing conditions prior to the commencement of the work. Any conflicts or omissions between existing conditions or the various elements of the working drawing shall be brought to the attention of the Engineer prior to the commencement of the work. The Licensed Contractor and all subcontractors are responsible for all lines, elevations, and measurements in connection with their
- Do not scale drawings for dimensions.
- Any deviation and/or substitution from the information provided herein shall be submitted to the Engineer for approval prior to commencement of work.
- All unanticipated or unforeseen demolition and/or new construction conditions which require deviation from the plans and notes herein shall be reported to the Engineer prior to commencement of work.
- All new work and/or materials shall conform to all requirements of each administrative body having jurisdiction in each appertaining circumstance.
- All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper execution
- 11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- 12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

SHORING NOTES: (IF EXISTING SEAWALL IS TO BE REMOVED AND REPLACED)

Contractor of record and permit holder responsible for all shoring. Until provisions for permanent support have been made, all excavations shall be properly guarded and protected so as to prevent them from becoming dangerous to life and property and shall be sheet piled, braced and/or shored, where necessary, to prevent the adjoining earth from caving in; such protection to be provided by the person causing the excavation to be made. All excavations shall comply with the minimum requirements of the Florida Building Code, and Florida Statute 553.60, "Trench Safety Act," and 29-cfr1926-650 (p) "Occupational Safety and Health Administration Excavation Safety Act."

CONCRETE NOTES: (IF CONCRETE STRUCTURES ARE INSTALLED)

- Concrete shall conform to ACI 318-14 and shall be regular weight, sulfate resistant, with a design strength of 5000 psi at 28 days with a maximum water-cementitious materials ratio, by weight aggregate concrete of 0.40.
- 2. Owner shall employ and pay for testing services from an independent testing laboratory for concrete sampling and testing in accordance with ASTM.
- Licensed contractor is responsible for the adequacy of forms and shoring and for safe practice in their use and removal.
- Concrete cover shall be 3" unless otherwise noted on the approved drawings.
- Reinforcing steel shall be in conformance with the latest version of ASTM A615 Grade 60 specifications. All reinforcement shall be placed in accordance with ACI 315 and ACI Manual of Standard Practice.
- Splices in reinforcing bars shall be not be less than 48 bar diameters and reinforcing shall be continuous around all corners and changes in direction. Continuity shall be provided at corners or changes in direction by bending the longitudinal steel around the corner 48 bar diameters.
- 7. Defective, cracked or loose concrete areas must be cut out, the rebar must be cleaned, coated with zinc and repaired with at least 3" of expoxy-concrete mix or gunnite concrete with sulfate-resistant cement.
- For cap overpours, dowel and epoxy #5 bars or L-bars into top and/or front of existing cap, staggered @ 24" o.c., min. 4" embedment.

HIGH TEMPERATURE CONCRETE PLACEMENT NOTES:

- 1. When the temperature of the concrete as placed exceeds 85°F, incorporate in the mix, a water-reducing retarder.
- 2. Spray reinforcing steel with cool fresh water just prior to placing the concrete.
- Moisten subgrade, steel reinforcement and form work prior to concrete placement.
- Use a concrete consistency that allows rapid placement and consolidation.
- Protect the concrete surface during placement with plastic sheeting or evaporation retarders to maintain the moisture in the concrete mixture.
- 6. Provide sufficient labor to minimize the timem required to place and finish the concrete, as hot weather conditions substantially shorten the times to initial and final set.

PILE DRIVING NOTES: (IF NEW PILES ARE INSTALLED)

- 1. Piles shall be driven using an approved cushion block consisting of material so arranged so as to provide the transmission of hammer energy.
- Piles shall be driven to a minimum allowable bearing capacity of 10 tons for wood, and 25 tons for concrete, and 5 tons for pin piles, a minimum of 8' into berm or refusal.
- Piles shall be driven with a drop hammer or gravity hammer provided the hammer shall weight no less than 3,000 pounds, and the fall of the hammer shall not exceed 6'.
- Piles shall be driven with a variation of not more than $\frac{1}{4}$ inch per foot from the vertical, or from the batter line indicated, with a maximum variation of the head of the pile from the position shown on the plans of not more than three inches.
- Where piling must penetrate strata offering high resistance to driving, the structural engineer of record or special inspector may require that the piles be set in pre-drilled or punched holes. The piles shall reach their final penetration by driving.

CONCRETE PILE NOTES: (IF CONCRETE PILES ARE INSTALLED)

- Concrete piles shall attain 5000 psi compressive strength in 28 days.
- 2. Concrete piles shall be reinforced with six $-\frac{7}{16}$ Ø lo-lax strands, 270 kips, and 5 ga. spiral ties.
- 3. Concrete piles shall be 12"x12" square, minimum length of 20'.
- Concrete piles shall be cut to leave strands exposed a min. of 18" and tied to dock or cap steel.
- For all prestressed pilings, extend pilings strands a min. of 18" into cap/dock slab steel or cut strands even w/ top of pilings & dowel & epoxy (2) #5 L-bars, 12" long w/ 12" bend, into top of pilings, w/ a min. of 4"
- 6. New batter and vertical pilings and panels to have a minimum 4" penetration into the new cap form. New dock pilings to have a minimum 3" penetration into the new dock slab form.

WOOD PILE NOTES: (IF WOOD PILES ARE INSTALLED)

- 1. Wood piles to be 2.5lb CCA treated in accordance with AWPA Standard C18.
- 2. Wood piles shall be a minimum diameter of 10"; Miami Dade County requires minimum diameter of 12".

WOOD DOCK/PIER NOTES: (IF WOOD STRUCTURES ARE INSTALLED)

- 1. All materials to be pressure treated pine unless otherwise noted.
- All frame work materials to be Southern Yellow Pine Grade #1, Fb=1200 PSI and Fv=175 PSI.
- All decking materials to be grade #1 unless otherwise noted.
- 4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

Permit Number

50-0345492-005-EE

Southeast District

AREA RESERVED FOR APPROVAL STAMPS FOR CITIES/AGENCIES

Mark E. Weber, P.E. LICENSE #53895 | CA 30702

MW ENGINEERING, INC 902 NE 1 Street Suite #2 Pompano Beach, Florida 33060 Ofc: 754-333-0877 WWW.MwEngineering.net

INC. 200 PREPARED FOR:

B & M MARINE
CONSTRUCTION, I
1211 S. Military Trail, Suite 20
Deerfield Beach, Fl 33442
954421-1700
GGC05282

WOOD DOCK:

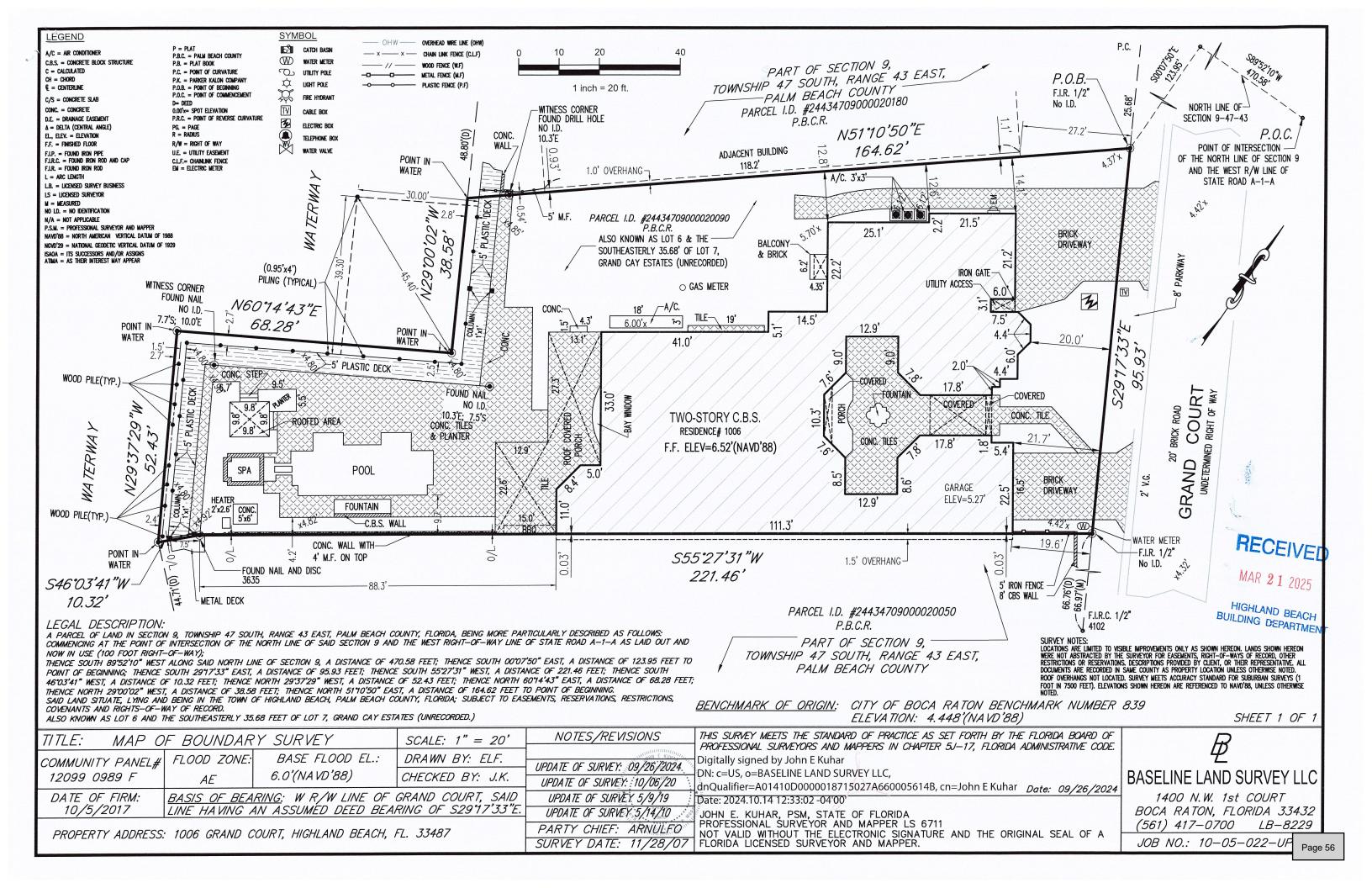
BEL-AIR AT HIGHLAND
BEACH HOMEOWNERS' ASSOC.
1023 BEL AIR DRIVE
HIGHLAND BEACH, FL 33487

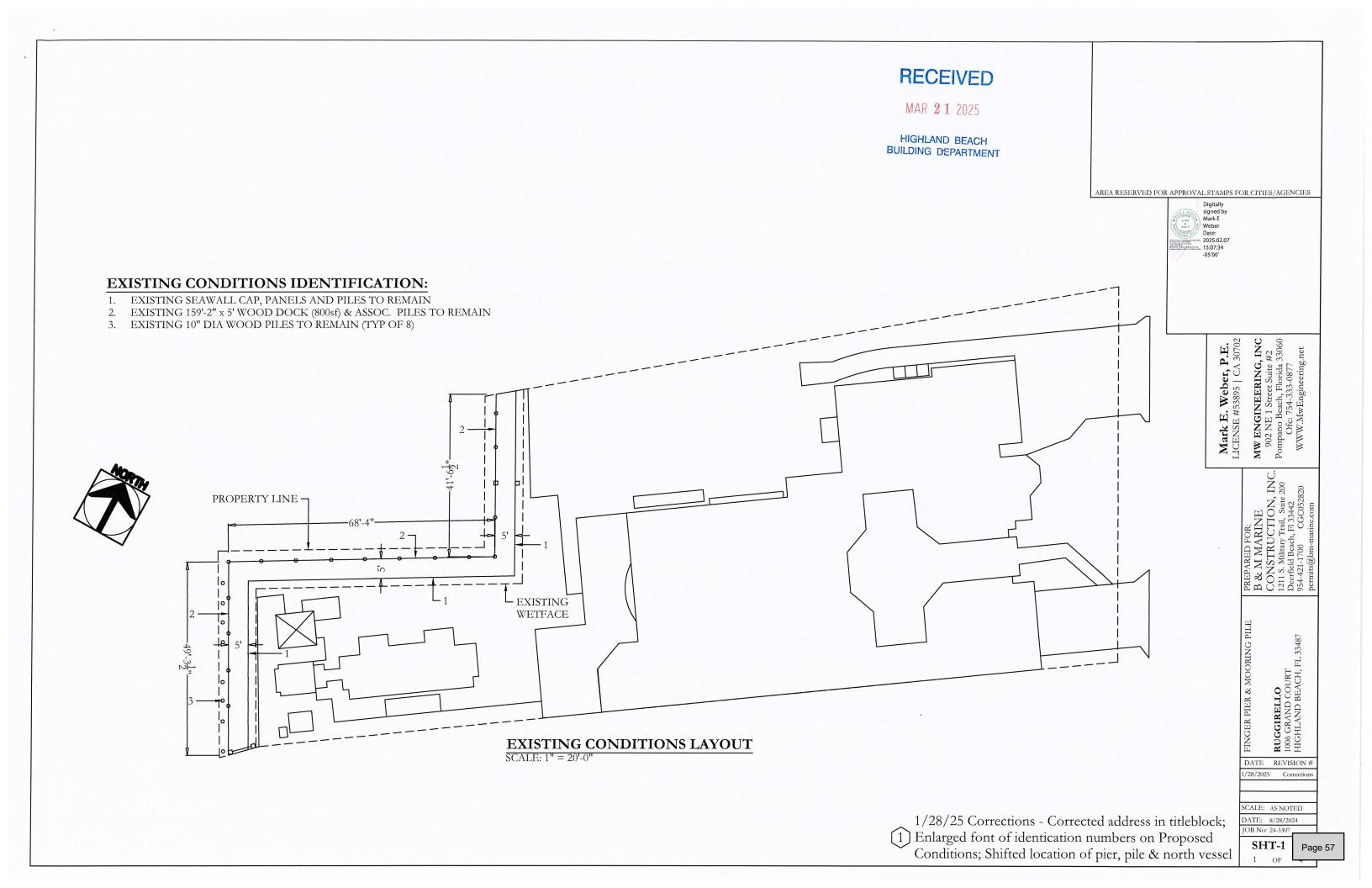
DATE REVISION #

SCALE: AS NOTED DATE: 8/28/2024 IOB No: 24-3298

SHT

Page 55







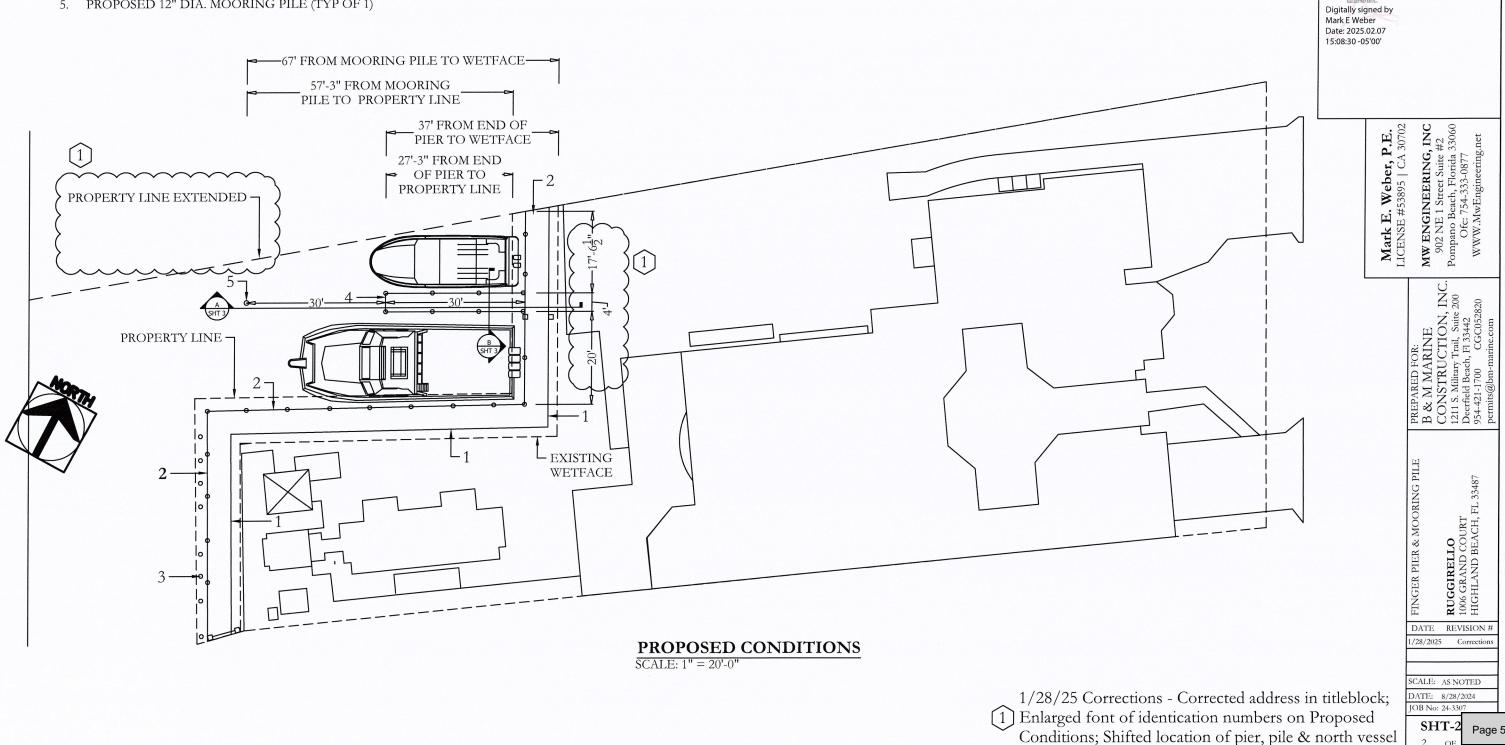
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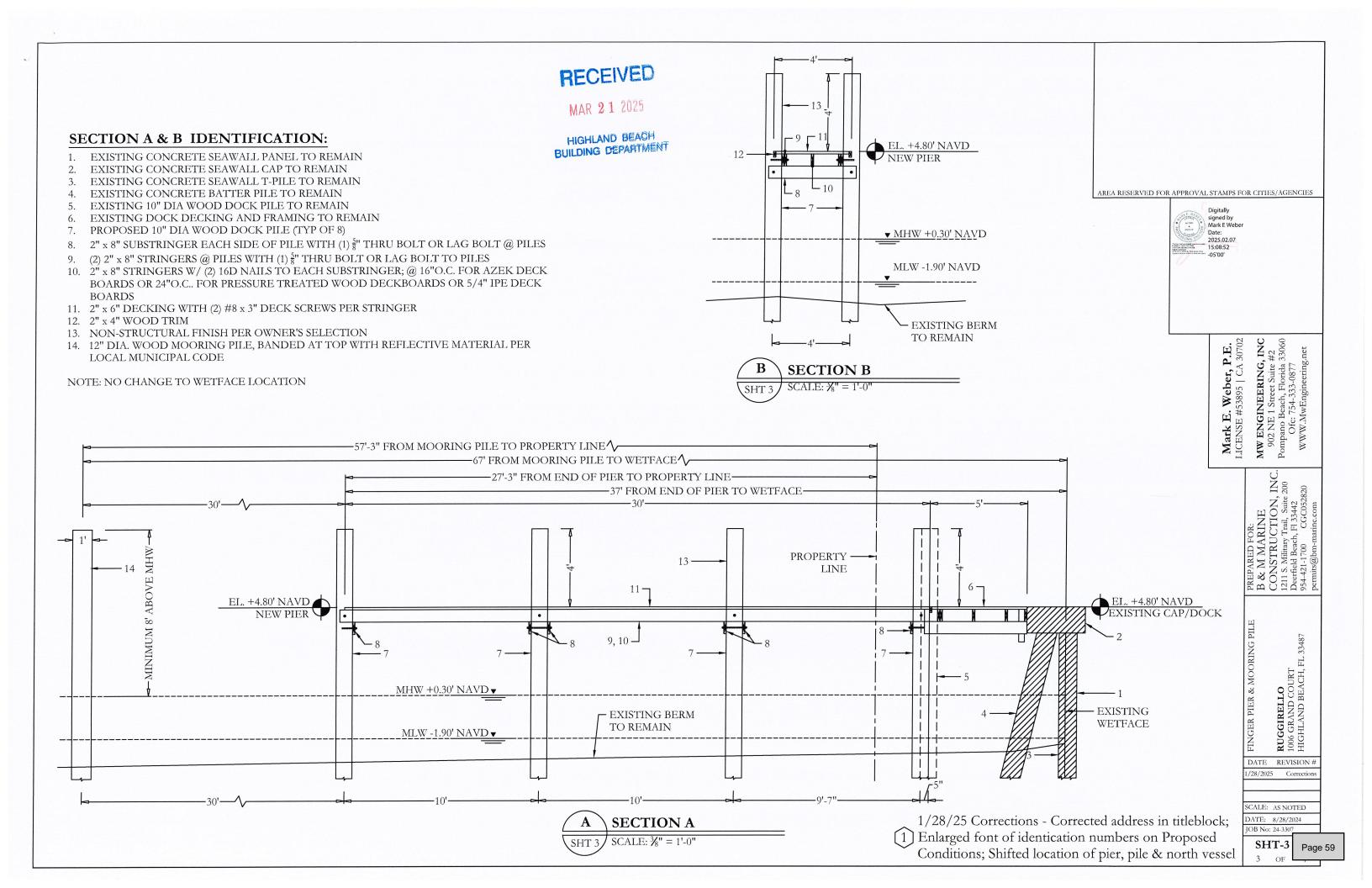
HIGHLAND BEACH BUILDING DEPARTMENT

AREA RESERVED FOR APPROVAL STAMPS FOR CITIES/AGENCIES

PROPOSED CONDITIONS IDENTIFICATION:

- EXISTING SEAWALL CAP, PANELS AND PILES TO REMAIN
- EXISTING 159'-2" x 5' WOOD DOCK (800sf) & ASSOC. PILES TO REMAIN
- EXISTING 10" DIA WOOD PILES TO REMAIN (TYP OF 8)
- PROPOSED 30' x 4" WOOD FRAMED FINGER PIER (120sf) ON (8) NEW WOOD PILES PROPOSED 12" DIA. MOORING PILE (TYP OF 1)





GENERAL NOTES:

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- 3. Do not scale drawings for dimensions.
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- 7. All new materials and/or patchwork shall be provided to match existing materials and/or adjoining work where practical except as specifically noted herein.
- 8. Licensed Contractor to shall use all possible care to protect all existing materials, surfaces, and furnishings from damage during all phases of construction.
- 9. Licensed Contractor to verify location of existing utilities prior to commencing work.
- The Licensed contractor to install and remove all shoring and bracing as required for the proper execution
 of the work.
- 11. Licensed Contractor to obtain all permits as necessary from all Local, State, and Federal agencies.
- 12. Turbidity barriers to be marked with site contractor's company name using permanent markings no smaller than 3 inches in height on the top of the barrier.

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- 2. All frame work materials to be Southern Yellow Pine Grade #1, Fb=1200 PSI and Fv=175 PSI.
- 3. All decking materials to be grade #1 unless otherwise noted.
- 4. All hardware to be Stainless Steel or Galvanized unless otherwise noted.

AREA RESERVED FOR APPROVAL STAMPS FOR CITIES/AGENCIES



Mark E. Weber, P.E.
LICENSE #53895 | CA 30702

MW ENGINEERING, INC
902 NE 1 Street Suite #2
Pompano Beach, Florida 33060
Ofe: 754-333-0877

WWW.MwEngineering.net

RECEIVED

MAR 21 2025

HIGHLAND BEACH BUILDING DEPARTMENT PREPARED FOR:

B & M MARINE

CONSTRUCTION, INC.

1211 S. Military Trail, Suite 200

Decrifield Beach, FL 33487

HIGHLAND BEACH, FL 33487

PREPARED FOR:

B & M MARINE

CONSTRUCTION, INC.

1211 S. Military Trail, Suite 200

Decrifield Beach, Fl 33442

954-421

954-421

954-6025820

PREPARED FOR:

B & M MARINE

CONSTRUCTION, INC.

1211 S. Military Trail, Suite 200

Decrifield Beach, Fl 33442

954-421

954-421

954-6025820

PREPARED FOR:

B & M MARINE

CONSTRUCTION, INC.

1211 S. Military Trail, Suite 200

Decrifield Beach, Fl 33442

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954-6025820

PREPARED FOR:

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CONSTRUCTION, INC.

1211 S. Military Trail, Suite 200

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1/28/25 Corrections - Corrected address in titleblock;

(1) Enlarged font of identication numbers on Proposed Conditions; Shifted location of pier, pile & north vessel

Town of Highland Beach Town Commission Development Order (PB) Application No. PZ-25-19



Applicant: AJR Grand Court LLC / David Nutter

Property Address: 1006 Grand Court

Highland Beach, Florida 33487

CERTIFICATE OF MAILING AFFIDAVIT

I hereby certify that the Town Clerk's Office mailed a copy of the Notice of Public Hearing (Exhibit A) for Application No. PZ-25-19 for the property located at 1006 Grand Court , Highland Beach, Florida 33487, by U.S. first-class and international mail to:

All property owners and properties owned by a condominium association president and the association's registered agent within 500 feet of the property located at 1006 Grand Court , Highland Beach, Florida 33487.

The mailings consisted of $\underline{106}$ notices that were sent first class mail and $\underline{00}$ notices that were sent by International Mail.

This 27th day of March 2025.

Highland Beach Town Clerk's Office

Jacken Desland

Jaclyn DeHart Deputy Town Clerk



PUBLIC NOTICE APPLICATION NO. PZ-25-19

Dear Property Owner:

This is to notify you that the **PLANNING BOARD** of the Town of Highland Beach will conduct a public hearing on *Thursday*, *April 10*, *2025 at 9:30 AM* in the Commission Chambers at Town Hall located at 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following application.

APPLICATION BY B&M MARINE CONSTRUCTION, INC. REQUESTING A SPECIAL EXCEPTION TO INSTALL A 120 SQUARE FOOT FINGER PIER AND ONE (1) MOORING PILE FOR THE PROPERTY LOCATED AT 1006 GRAND COURT.

The application is available for inspection in the Town Clerk's Office at Town Hall, Monday through Friday during normal business hours of 8:30 a.m. to 4:30 p.m.

Any person that decides to appeal any decision made by the Planning Board with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is based. The Town of Highland Beach does not provide such a record.

In accordance with the Americans with Disabilities Act, persons who need special accommodation to attend or participate in this meeting should contact the Town Clerk's Office at (561) 278-4548 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 or 1-800-955-8771.

For additional information, please contact the Town Planner at (561) 278-4540.

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT



Affidavit of Legal Notice submission and publication

Highland Beach Legal Notice

Submission Time: 03/28/2025 8:42 AM (EDT)

Please find a PDF of your submission details attached to this email.

The attachments included in your submission are listed below. This Legal Notice along with the attachments is now published on the web portal.

- AD_PB PZ-25-19 1006 Grand Court .pdf
- signature.png

Signature of Affiant

Signature of Notary Public

LANELDA GASKINS

Notary Public - State of Florida

Commission # HH 152420

My Comm. Expires Jul 26, 2025

Notary Stamp_

Highland Beach Legal Notice Submission

Highland Beach Legal Notice

03/28/2025 8:42 AM (EDT)

Buomitted of Jacyn Denattijae ratu@nighlari (teath) is

Legal Notice

Planning Board Public Hearing Notices - Highland Beach Please choose a category

Planning Board Meeting April 10, 2025 Application NO. PZ-25-19 Title

03/28/2025 **Publish Date**

8:38 AM (EDT) **Publish Time**

TOWN OF HIGHLAND BEACH Description

NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED that the Planning Board of the Town of Highland Beach will conduct a Public Hearing on Thursday, April 10, 2025, at 9:30 AM in the Commission Chambers at Town Hall, 3614 South Ocean Boulevard, Highland Beach, Florida to consider the following:

APPLICATION NO. PZ-25-19 BY B&M MARINE CONSTRUCTION, INC. REQUESTING A SPECIAL EXCEPTION TO INSTALL A 120 SQUARE FOOT FINGER PIER AND ONE (1) MOORING PILE FOR THE PROPERTY LOCATED AT 1006 GRAND COURT.

APPLICANT: AJR GRAND HIGHLAND BEACH LLC

The application is available for inspection in the Town Clerk's Office at Town Hall, Monday through Friday during normal business hours of 8:30 a.m. to 4:30 p.m.

Any person that decides to appeal any decision made by the Planning Board with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is based. The Town of Highland Beach does not provide such a record.

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For additional information, please contact the Town Planner at (561) 278-4540.

TOWN OF HIGHLAND BEACH, BUILDING DEPARTMENT

Attach Files (Optional)

| AD_PB PZ-25-19 1006 Grand Court .pdf

Submitted by (Email Address)

jdehart@highlandbeach.us

Notifications

Yes

Send Out a Notification to Your

Subscribers

Yes

Signature

